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BOX RCE  
PATENT  
0249-0119P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MEIRINHOS DA CRUZ et al. Conf.: 2705  
Appl. No.: 09/529,937 Group: 1615  
Filed: June 30, 2000 Examiner: Kishore, G.  
For: DINITROANILINE LIPOSOMAL FORMULATIONS  
AND PROCESSES FOR THEIR PREPARATION

11/Ext time  
(3mo) + Reg under  
1.114

Ret  
102002

REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

## BOX RCE

Assistant Commissioner for Patents  
Washington, DC 20231

September 30, 2002

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

10/02/2002 AWONDAF1 00000030 09529937

01 FC:179  
02 FC:117

740.00 OP  
920.00 OP

☐ The enclosed document is being transmitted via facsimile.

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

☒ An After Final Amendment previously filed on June 26, 2002, under 37 C.F.R. § 1.116 but unentered, in the present application.

☐ Arguments in the Appeal Brief or Reply Brief previously filed on .

☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

|                       | TOTAL<br>NUMBER OF<br>CLAIMS<br>PREVIOUSLY<br>PAID FOR | TOTAL<br>NUMBER OF<br>CLAIMS<br>BEING<br>FILED<br>HEREWITH | <b><u>NUMBER<br/>EXTRA</u></b> | Large Entity |     | Small Entity |     |
|-----------------------|--|--|--------------------------------|--------------|-----|--------------|-----|
|                       |  |  |                                | Rate         | Fee | Rate         | Fee |
| Total<br>Claims       | 20   | 18   |                                | X 18         | \$  | X 9          | \$  |
| Independent<br>Claims | 3  | 3  |                                | X 84         | \$  | X 42         | \$  |
| TOTAL CLAIM FEE(S)    |  |  |                                |              |     | \$0.00       |     |

☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☒ Other: Preliminary Amendment

☐ **Miscellaneous**

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ( ) months. (Period of suspension shall not exceed 3 months.)

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

☐ \$370.00 - small entity

☒ \$740.00 - large entity

☒ The applicant(s) hereby petition(s) for an extension of three (3) months pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$920.00 is required for the full period of the above-requested extension of time.

☐ An extension of ( ) month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.

☐ The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.

☒ Enclosed is a check in the total amount of \$1,660.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

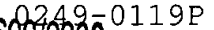
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Edward B. Valance #19896  
FOR Joseph A. Kolasch, #22,463

JAK/EHV:bmp  
0249-0119P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments



|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |   | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR |   | PRESENT<br>EXTRA | RATE  | ADDITIONAL<br>FEE |
|---|---|---|---|---|------------------|-------|-------------------|
| TOTAL   | 18  | - | 20  | = | 0                | \$18  | \$0.00            |
| INDEPENDENT   | 3   | - | 3   | = | 0                | \$84  | \$0.00            |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |   |   |   |   |                  | \$280 | \$0.00            |
|   |   |   |   |   |                  | TOTAL | \$0.00            |

- ☐ Petition for ( ) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ Check(s) in the amount of \$0.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Edward H. Valance #19896  
for Joseph A. Kolasch, #22,463

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ATTACHMENT

(Rev. 09/27/01)